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EXAMINER

BEACH, THOMAS A

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al 7,171,372 or Abdel-Malek et al 6,959,235 or Moskowitz et al 6,339,736 alone.

Daniel, Abdel and Moskowitz show a method for ordering parts for a machine being serviced within an e-commerce environment, the method comprising: transmitting diagnostic data from a local computing device at the machine to a host computing device via a network; identifying a part to be replaced within the machine as a function of the diagnostic data, wherein when the part is included as a non-replaceable component in a replaceable sub-assembly within the machine, the identifying step further includes, identifying the part as the sub-assembly, and when the part is a replaceable component within the machine, the identifying step further includes, identifying the part as the component (claim 16); determining a part identifier as a function of the part and retrofit information stored on the host computing device; and transmitting the part identifier from the host computing device to an order processing device (fig 1, fig 1, fig 1, respectively). Daniel and Abdel discloses the 132 parts requisition where an updated part identifier would be necessary to order from 3rd party

(col 9, lines 19+) at the parts requisition center 23. Moskowitz also include part identifiers in that are used in order to make parts available through either service desks 302 or dealers 250. Identifying whether a part is part of a subassembly or non-replaceable would be determined upon the basic process of parts requisition, and does not involve a patentable step. This step being performed by the user upon researching the manuals etc or through service desks/dealers is an obvious modification to be automated by computer identifiers and updated identifiers since this modification would have the expected result of quicker lookup time if newly assigned parts identifiers were added to the parts order and would be obvious to one of ordinary skill in the art.

As concerns claims 3 and 16-18, Daniel, Abdel and Moskowitz show determining other parts within the machine to be replaced as a function of the part identifier, since replacing one part in the machine may precipitate changing another part, and any additional parts to be replaced are identified within the retrofit information as a function of the part to be replaced (fig 2-3, fig 4, fig 2, respectively) as modified.

As concerns claim 4, Daniel, Abdel and Moskowitz show including: transmitting an identifier of the machine from the local computing device to a host computing device via the network, the part identifier and the retrofit information being identified as a function of the machine identifier (fig 2-3, fig 4, fig 2, respectively).

As concerns claim 5, Daniel, Abdel and Moskowitz show the local computing device is a discrete unit from the machine, the method further including: connecting the local computing device to the machine via a communication link (fig 2-3, fig 4, fig 2, respectively).

As concerns claims 6 and 19, Daniel, Abdel and Moskowitz show including: storing the diagnostic data within the local computing device (fig 1, 2-3, fig 1, 4, fig 1, 2; respectively).

As concerns claim 7, Daniel, Abdel and Moskowitz show including: transmitting a confirmation to the local computing device that the part identifier has been transmitted to the order processing device (fig 1, 2-3, fig 1, 4, fig 1, 2; respectively)..

As concerns claims 8 and 20-21, Daniel, Abdel and Moskowitz show the identifying step includes: viewing a graphical representation of the machine via a display device; and zooming-in the graphical representation, via a pointing device (fig 4, 170a, 40; respectively).

Allowable Subject Matter

3. Claims 22-24 are allowed.

Response to Arguments

4. Applicant's arguments with respect to the amended claims have been considered but are not persuasive. Applicant's arguments regarding the newly added subject matter related to the updated part identifier and sub-assembly/non-replaceable part(s) have been noted; however, this aspect of use of a known parts identifying system only requires routine skill in the art to modify the process into an automated identifier since parts identifiers and sub-assembly/non-replaceable part(s) are known to be encountered during remote repairs. Processors, host computing, and storage devices are inherent to the apparatuses of Daniel, Abdel and Moskowitz.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Art Unit: 3671

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Thomas A. Beach

/Thomas A Beach/
Primary Examiner, Art Unit 3671

May 17, 2008

THOMAS A. BEACH
Primary Examiner
Group 3600